

**ENTERED**

October 05, 2017

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA

VS.

KEVIN NAVA

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§  
§  
§  
§

CRIMINAL NO. 2:17-CR-433

**OPINION AND ORDER CONTINUING FINAL PRETRIAL  
CONFERENCE AND JURY SELECTION**

On October 5, 2017, an *ex parte* hearing was held, and Defendant was assigned new counsel. Because of this, new counsel will need time to become familiar with the case, review discovery, conduct necessary investigation, and prepare for trial/guilty plea. The Defendant consented on the record during the hearing to a continuance of the trial.

Under the Speedy Trial Act, a district court may grant a continuance and exclude the resulting delay from the time in which a trial must commence if it makes on-the-record findings that the ends of justice served by granting the continuance outweigh the public's and defendant's interests in a speedy trial. 18 U.S.C. § 3161(h)(7).

Having considered the Defendant's motion, the Court finds that the failure to grant a continuance in this case would deny the Defendant and his new counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

Accordingly, the Court finds that the ends of justice are served by granting a continuance in this case and outweigh the best interests of the public and Defendant in a speedy trial, and the period of the continuance is excluded from speedy trial computation.

The Court **CONTINUES** the final pretrial conference until **November 2, 2017, at 9:00 a.m.** and schedules the jury selection and trial for **November 6, 2017 at 9:00 a.m.** before Hon. Nelva Gonzales Ramos.

ORDERED this 5th day of October, 2017.

  
B. JANICE ELLINGTON  
UNITED STATES MAGISTRATE JUDGE